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Jaw/B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the patent application of:)
)
William R. Camerer III et al.)
)
Title: Corn Plant Evaluation) Art Unit 1743
)
Serial No. 09/934,232) Examiner: Yelena G. Gakh
)
Filed August 21, 2001)

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.133(b) and M.P.E.P. § 713.04, the Applicants provide this summary of a telephonic interview between the Examiner, Yelena G. Gakh; one of the Applicants, Nicholi L. Bajjalieh; and the Applicants' attorney, Philip L. Bateman, that occurred on September 3, 2004.

The parties discussed the Office Action dated June 7, 2004. In particular, the parties discussed the structure of a bowl grinder and its use in practicing the claimed method. The Applicants' attorney proposed amending claim 1 to include the recitation from claim 4 regarding the use of a bowl grinder. The Examiner agreed that amending claim 1 in this manner would recite patentable subject matter.

The parties also discussed the Section 112 rejections. The Applicants' attorney explained that the "harvesting" step in subparagraph (c) is described in paragraph 0021 of the specification and that the "comparing" step in subparagraph (f) is described in paragraph 0032 of the specification.

It was agreed that the Examiner will amend subparagraph (d) of claim 1 to read "grinding the representative plants into a homogeneous mixture using a bowl grinder" and cancel claim 4 by an Examiner's Amendment. It was also agreed that the Examiner will allow claims 1 to 3 and 5.

Respectfully submitted,

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CERTIFICATE OF MAILING

Philip L. Bateman certifies that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 7, 2004.

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